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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,429	01/06/2004	Chern Hway Seet	246121US-8 CONT	3201
22850	7590	07/14/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			CHAMPAGNE, DONALD	
			ART UNIT	PAPER NUMBER

3622

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/751,429	Applicant(s) SEET ET AL.	
	Examiner Donald L. Champagne	Art Unit 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7 April 2005 has been entered.

### *Information Disclosure Statement*

2. The information disclosure statements filed on 17 February 2005 and 7 April 2005 fail to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-10 and 21-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. At the end of each claim 1 and 2, "displaying a speed of movement" and "a selectable flipping speed" are new matter.

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5. In addition, at claim 27, "advancing to a discrete content amount" is new matter.
6. The examiner assumes for the purposes of examination that applicant is claiming the display of multiple pages moving at the same time, as disclosed in Fig. 1D. Hence said "speed" (or "rate" in para. [0070] of the published application, US 20040138952A1) would be expressed as pages moved per unit time, e.g., per minute, not as units of distance (e.g., mm) moved by the pages per unit time.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
8. Claims 1-5, 7-14 and 16-27 is rejected under 35 U.S.C. 103(a) as being obvious over McCurdy et al. (US 20020035697A1) in view of Ho (US005909207A).
9. McCurdy et al. teaches (independent claims 1, 2, 11 and 20) a method and system for electronically inserting advertisement into displayed content, and a computer program product containing said method, the method comprising the steps of: displaying magazines, of approximately 200 page size, with the pages having the appearance, layout and quality similar to that of a book-like printed publication (para. [0007], [0008], [0201] and [0358]), which reads on organizing sequentially a content into more pages than what are simultaneously viewable on a single display, dividing said content into *pages*, which reads on discrete content amounts, and displaying at least two of said discrete content amounts (the two being *opposing pages to a given page*), and said displaying step comprising displaying two of said discrete content amounts in a book representation; inserting an advertisement within said content, said content now including said advertisement (para. [0019], 2-3 lines from the end); and displaying a page flipping so as to advance to a discrete content amount other than said at least two discrete content amounts (para. [0037]).
10. McCurdy et al. does not teach (independent claims 11 and 20) that said book representation includes a first and a second book thickness indicator. Ho teaches a book representation

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including a first and a second book thickness indicator (col. 9 lines 46-54). Because Ho teaches that this provides the user with an approximate idea of where the current page is located in the book, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add the teachings of Ho to those of McCurdy et al.

11. McCurdy et al. does not teach (independent claims 1 and 2) "displaying a speed of movement"/displaying at least two pages simultaneously moving. Ho teaches "displaying a speed of movement"/displaying at least two pages simultaneously moving (the *flipping pages 603*, col. 7 line 43 and Fig. 6A). Because McCurdy et al. teaches a desire for realistic animation (para. [0037] and [0111] with respect to *step 88*), it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add the teachings of Ho to those of McCurdy et al.
12. McCurdy et al. also teaches (claims 10 and 19) activating an embedded link (para. [0097]) and claim 27 (para. [0042]).
13. Ho also teaches the added limitations of the following dependent claims: 3, 5, 12 and 14 (col. 16 lines 5-6); 25 (col. 17 line 33); claims 4 and 13 (Fig. 5A described at col. 15 lines 61-67); 7, 8, 16, 17 and 23, 24, and 26 (Figs. 6A & 6B, described at col. 17 line 3 to col. 18 line 10); and claims 9, 18, 21 and 22, where a *bookmark* reads on an address indicator and a jump cursor (col. 12 lines 53-64 and col. 13 lines 42-50).
14. Claims 6 and 15 are rejected under 35 U.S.C. 103(a) as being obvious in view of the references cited above and further in view of Sarra (US pat. 5,053,762). The references cited above do not teach a bending page. Sarra teaches a bending page (col. 2 line 48). Because Sarra teaches that this is a particularly appealing special effect (col. 1 lines 17-18), it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add a the teachings of Sarra to those of the references cited in para. 14 above.

### **Conclusion**

15. This is a continuation of applicant's earlier Application No. 10751429. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first

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action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

16. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L. Champagne whose telephone number is 571-272-6717. The examiner can normally be reached from 6:30 AM to 5 PM ET, Monday to Thursday. The examiner can also be contacted by e-mail at [donald.champagne@uspto.gov](mailto:donald.champagne@uspto.gov), and *informal* fax communications (i.e., communications not to be made of record) may be sent directly to the examiner at 571-273-6717.
18. The examiner's supervisor, Eric Stamber, can be reached on 703-305-8469. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-930606. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.
19. **AFTER FINAL PRACTICE** – Consistent with MPEP § 706.07(f) and 713.09, prosecution generally ends with the final rejection. Examiner will grant an interview after final only when applicant presents compelling evidence that "disposal or clarification for appeal may be accomplished with only nominal further consideration" (MPEP § 713.09). The burden is on applicant to demonstrate this requirement, preferably in no more than 25 words. Amendments are entered after final only when the amendments will clearly simplify issues, or put the case into condition for allowance, clearly and without additional search or more than nominal consideration.
20. Applicant may have after final arguments considered and amendments entered by filing an RCE.

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21. **ABANDONMENT** – If examiner cannot by telephone verify applicant's intent to continue prosecution, the application is subject to abandonment six months after mailing of the last Office action. The agent, attorney or applicant point of contact is responsible for assuring that the Office has their telephone number. Agents and attorneys may verify their registration information including telephone number at the Office's web site, [www.uspto.gov](http://www.uspto.gov). At the top of the home page, click on Site Index. Then click on Agent & Attorney Roster in the alphabetic list, and search for your registration by your name or number.

**DONALD L. CHAMPAGNE**  
**PRIMARY EXAMINER**

Donald L. Champagne  
Primary Examiner  
Art Unit 3622

9 July 2005